

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Angela B.,¹

Plaintiff,

v.

Case No. 3:21-cv-316

District Judge Thomas M. Rose

Magistrate Judge Caroline H. Gentry

Commissioner of Social Security,

Defendant.

**ENTRY AND ORDER ADOPTING REPORT AND
RECOMMENDATIONS OF THE MAGISTRATE JUDGE (DOC. 16),
DENYING THE COMMISSIONER'S MOTION FOR VOLUNTARY
REMAND (DOC. 8), CONSTRUING PLAINTIFF'S RESPONSE (DOC. 9)
AS A MOTION FOR REMAND WITH AN IMMEDIATE AWARD OF
BENEFITS AND GRANTING THAT MOTION, AND TERMINATING
CASE.**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on February 7, 2023. (Doc. 16). Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United*

¹ See S.D. Ohio General Order 22-01 ("The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that due to significant privacy concerns in social security cases federal courts should refer to claimants only by their first names and last initials.").

States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

The Court has reviewed the findings of the Magistrate Judge. Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), this Court has made a *de novo* review of the record in this case. Upon consideration of the foregoing, the Court **ADOPTS** the Report and Recommendations (Doc. 16) in its entirety.

The Court **DENIES** the Commissioner's Motion for Voluntary Remand (Doc. 8), **CONSTRUES** the Plaintiff's Response (Doc. 9) as a motion for remand with an immediate award of benefits, and **GRANTS** that motion. The instant case is **TERMINATED** on the docket of the United States District Court for the Southern District of Ohio, Western District at Dayton.

DONE and **ORDERED** this Tuesday, March 14, 2023.

s/**THOMAS M. ROSE**

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE